

from not to exceed \$30 to not to exceed \$40, and in cl. (2) increased amount authorized to be named in travel authorization for each day in a travel status outside continental United States from not to exceed maximum per diem allowance plus \$10 to not to exceed the maximum per diem allowance plus \$18.

§ 5704. Mileage and related allowances

(a)(1) Under regulations prescribed under section 5707 of this title, an employee who is engaged on official business for the Government is entitled to a rate per mile established by the Administrator of General Services, instead of the actual expenses of transportation, for the use of a privately owned automobile when that mode of transportation is authorized or approved as more advantageous to the Government. In any year in which the Internal Revenue Service establishes a single standard mileage rate for optional use by taxpayers in computing the deductible costs of operating their automobiles for business purposes, the rate per mile established by the Administrator shall not exceed the single standard mileage rate established by the Internal Revenue Service.

(2) Under regulations prescribed under section 5707 of this title, an employee who is engaged on official business for the Government is entitled to a rate per mile established by the Administrator of General Services, instead of the actual expenses of transportation, for the use of a privately owned airplane or a privately owned motorcycle when that mode of transportation is authorized or approved as more advantageous to the Government.

(b) A determination that travel by a privately owned vehicle is more advantageous to the Government is not required under subsection (a) of this section when payment on a mileage basis is limited to the cost of travel by common carrier including per diem.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, in any case in which an employee who is engaged on official business for the Government chooses to use a privately owned vehicle in lieu of a Government vehicle, payment on a mileage basis is limited to the cost of travel by a Government vehicle.

(d) In addition to the rate per mile authorized under subsection (a) of this section, the employee may be reimbursed for—

- (1) parking fees;
- (2) ferry fees;
- (3) bridge, road, and tunnel costs; and
- (4) airplane landing and tie-down fees.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 499; Pub. L. 94-22, § 5, May 19, 1975, 89 Stat. 85; Pub. L. 96-346, § 2, Sept. 10, 1980, 94 Stat. 1148; Pub. L. 103-329, title VI, § 634(a), Sept. 30, 1994, 108 Stat. 2428.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 837.	June 9, 1949, ch. 185, § 4, 63 Stat. 166. July 28, 1955, ch. 424, § 4, 69 Stat. 394. Aug. 14, 1961, Pub. L. 87-139, §§ 3, 4, 75 Stat. 339, 340.

The word “employee” is substituted for “Civilian officers and employees of departments and establish-

ments” in view of the definition of “employee” in sections 5701 and 2105.

In subsection (a), the words “Under regulations prescribed under section 5707 of this title” are substituted for “under regulations prescribed by the Director of the Bureau of the Budget”.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1994—Pub. L. 103-329 amended text generally. Prior to amendment, text read as follows:

“(a) Under regulations prescribed under section 5707 of this title, an employee who is engaged on official business for the Government is entitled to not in excess of—

“(1) 20 cents a mile for the use of a privately owned motorcycle;

“(2) 25 cents a mile for the use of a privately owned automobile; or

“(3) 45 cents a mile for the use of a privately owned airplane;

instead of actual expenses of transportation when that mode of transportation is authorized or approved as more advantageous to the Government. A determination of such advantage is not required when payment on a mileage basis is limited to the cost of travel by common carrier including per diem. Notwithstanding the preceding provisions of this subsection, in any case in which an employee who is engaged on official business for the Government chooses to use a privately owned vehicle in lieu of a Government vehicle, payment on a mileage basis is limited to the cost of travel by a Government vehicle.

“(b) In addition to the mileage allowance authorized under subsection (a) of this section, the employee may be reimbursed for—

“(1) parking fees;

“(2) ferry fees;

“(3) bridge, road, and tunnel costs; and

“(4) airplane landing and tie-down fees.”

1980—Subsec. (a)(1). Pub. L. 96-346, § 2(1), substituted “20 cents” for “11 cents”.

Subsec. (a)(2). Pub. L. 96-346, § 2(2), substituted “25 cents” for “20 cents”.

Subsec. (a)(3). Pub. L. 96-346, § 2(3), substituted “45 cents” for “24 cents”.

1975—Subsec. (a). Pub. L. 94-22 struck out “or other individual performing services for the Government” after “employee”, substituted “for the Government” for “inside or outside his designated post of duty or place of service”, increased from 8 to 11 cents the allowance for use of a motorcycle, from 12 to 20 cents the allowance for use of an automobile, and from 12 to 24 cents the allowance for use of an airplane, and inserted provision relating to the limitation of an allowance to the cost of travel by Government vehicle when an employee chooses a privately owned vehicle in lieu of a Government vehicle.

Subsec. (b). Pub. L. 94-22 inserted “authorized” after “allowance”, struck out “or other individual performing service for the Government” after “employee”, and provided for reimbursement of airplane landing and tie-down fee.

§ 5705. Advancements and deductions

An agency may advance, through the proper disbursing official, to an employee entitled to per diem or mileage allowances under this subchapter, a sum considered advisable with regard to the character and probable duration of the travel to be performed. A sum advanced and not used for allowable travel expenses is recoverable from the employee or his estate by—

(1) setoff against accrued pay, retirement credit, or other amount due the employee;

(2) deduction from an amount due from the United States; and